

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Business Meeting held June 6, 2006

A regular business meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:50 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Lori Wissler and Dianne Moran, Planning and Zoning Officers; William Weaver, Sewer Authority Director, Jodie Reese, CET Engineering Services; Brian Luetchford, Parks and Recreation Director; Chris Black, H. Edward Black and Associates; Robert Shaffer, Act One Consultants, Inc.; Jeff Staub, Dauphin Engineering; and Micki Molinari and Barbara Greenberg, Molinari and Greenberg, LLC.

Pledge of Allegiance

Mr. Crissman led the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the August 23, 2005 special business meeting, April 11, 2006 administrative workshop meeting, April 18, 2006 business meeting, and the May 15, 2006 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No comment was presented.

Chairman and Board Member's Comments

No comments were presented

Manager's Report

Mr. Wolfe stated that due to the late start of the meeting he would forgo his Manager's Report. He noted that some of the issues to be noted are agenda items for this meeting.

Old Business

Change Order #2 for roadway paving as part of the SC-1 sanitary sewer mini-basin sewer replacement contract

Mr. Wolfe noted that the Board members have viewed this change order three times. He explained the Board approved the first change order using the April index and not the current July asphalt index estimate for bituminous materials. He noted that the contractor was unwilling to accept the previously approved change order due to the index costs being less than the cost of the materials.

Mr. Wolfe explained that the change order given to the Board members' as part of their packet listed the amount as \$24,400, but this was incorrect. He noted that this was corrected in the document distributed this evening. He stated that the correct amount for the change order should be \$27,340.83, and it would provide for significant roadway improvements in the Spring Creek 1F and 1I sanitary sewer mini-basins to the roads that had been significantly disturbed during the sanitary sewer rehabilitation project. He noted that, at the recommendation of Mr. Robbins, the Public Works Director, full depth reclamation would be completed to sub-grade to replace the roadway base. He noted that a change order in the amount of \$27,340.83 is necessary to do this work.

Mr. Wolfe noted that Jodi Reese from CET and Bill Weaver are present to answer questions.

Mr. Seeds question if the original contract stated that the Township was to use the asphalt index for price increases. Mr. Wolfe noted that this would not pertain for the original roadway paving, but it would come into play in terms of a change order where the contractor has the right to recoup his costs. Mr. Seeds noted that since the Township requested the change order, the Township must pay today's prices and not the original price. Mr. Wolfe noted that the Township Solicitor has reviewed the contract and he concurs with this action.

Mr. Blain noted that the reclamation process in the Spring Creek mini-basin is for North Road, South Road, and the roads in Old Colonial Park, and Old Rutherford Road. Mr. Blain noted that he wanted to explain this to the residents to inform them that their roads would be paved in June or thereafter.

Mr. Crissman made a motion to approve Change Order #2 for the roadway paving as part of the SC-1 sanitary sewer mini-basin sewer replacement contract in the amount of \$27,340.83. Mr. Blain seconded the motion and a unanimous voice vote followed.

Resolution 06-17; Providing a \$75,000 grant to Inspired Recreation
for construction of Possibility Place

Mr. Hawk noted that Inspired Recreation is in the process of building a Leather's Playground at the Thomas B. George Jr. Park. He noted that this organization has worked hard to design and raise funds to build this playground, and that the building process would start very soon.

Mr. Hawk introduced Ann Philips, Janis Creason, and other members of the Inspired Recreation group who were in attendance in the audience.

Ms. Philips explained that Inspired Recreation was created as a Board in order to build a playground at George Park. She noted that the original intent was to build a Leather's Playground; however, Ms. Creason came up with the idea that the playground should be 100% accessible for children and parents. She noted that there are very few places that are wheelchair

accessible for children or their parents. She noted that the wooden structure playground is different in that it would be built using recycled composite lumber, and a ground cover would be installed for wheelchair accessibility. She noted that ramps would be built for sliding board access as well.

Ms. Phillips thanked the Board of Supervisors for their work in supporting the project. She explained that the grant from the Township is very generous and would be used very wisely. She noted that construction for the project will take place Wednesday, June 14th through 18th. She noted that over 1,000 volunteers have signed-up and will be bringing their own tools. She noted that additional volunteers and donations are still needed, and explained that the group has raised \$120,000 in addition to the \$75,000 grant from the Township. The project is still in need of \$50,000 to pay for the groundcover. She noted that the more money that is raised, the more accessible the playground will be. She explained that donations for the purchase of a fence post or a playground component are still available.

Mr. Hawk noted that this is a great example of volunteerism at its best. Mr. Hawk explained that the grant includes the requirement of a full accounting of the funds that are spent.

Mr. Blain made a motion to adopt Resolution 06-17, providing a \$75,000 grant to Inspired Recreation for the construction of Possibility Place at the Thomas B. George Jr. Park. Mr. Crissman seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

The Board of Supervisors presented a check for \$75,000 to Ms. Phillips and the Inspired Recreation Group for the construction of Possibility Place.

New Business

Conditional Use 06-01; Request to operate an automobile rental establishment at 4612 Jonestown Road

Ms. Moran explained that the Township has received an application for a Conditional Use Permit from HET Enterprises, LLC that proposes a Budget Rent-a-Car/Truck rental and leasing and carwash. The property is located at 4612 Jonestown Road and is zoned C-1, General Commercial and vehicle rental and leasing is a conditional use in the C-1 zoning district.

Ms. Moran noted that the applicant is required to comply with Article 1193.05, General Use Standards and Article 1193.06, Performance Standards. She noted that supporting information from the applicant was provided in the Board member's packet.

Ms. Moran noted that the Planning Commission approved the conditional use application subject to obtaining a Certificate of Occupancy from Lower Paxton Township certifying compliance with the Zoning Ordinance and building codes at its May 10, 2006 meeting.

Ms. Moran explained that the Township provided written notification to all surrounding property owners within the neighborhood, and, Mr. Solomon Cramer was present to represent the plan.

Mr. Stine noted that this is the date and time set to conduct a public hearing for Conditional Use 2006-01, a request to operate an automobile/rental establishment at 4612 Jonestown Road. Mr. Stine questioned if the applicant was present. Mr. Solomon Cramer was sworn in by the court stenographer.

Mr. Solomon Cramer, 1998 West Harrisburg Pike, Middletown, explained that he is proposing to change an unoccupied Texaco gas station with car wash into a Budget Rent-a-Car/truck operation that will house roughly 23 vehicles. He noted that he anticipates reopening the car wash for commercial use for consumers and walk-up traffic. He explained that the

gasoline storage tanks have been removed from the site, and they do not plan to have fuel tanks on the site.

Mr. Crissman noted that there is a provision for 23 parking spaces, and he questioned if there would ever be a time when more than 23 vehicles would appear on the lot. Mr. Cramer answered that he did not believe so. Mr. Crissman suggested that it was not an acceptable answer. Mr. Cramer answered that there would not be more than 23 cars parked on the lot. Mr. Cramer noted that the 23 parking spaces are for rented vehicles, and there are four additional parking spaces for employees, and four for customer parking. He noted that he would not provide overnight parking for customers. Ms. Moran confirmed that information for Mr. Crissman.

Mr. Mark Levine, 1507 Knollcrest Road, was sworn in by the court stenographer. Mr. Levine suggested that Mr. Cramer might not be able to control the number of vehicles on his lot. He suggested that vehicles might be dropped off by Budget rental customers, and noted that it is unrealistic for Mr. Cramer to make the claim that he would not go over the 23 number vehicles.

Mr. Blain noted that with a rental car facility, people could drop off vehicles and the parking lot might already have 23 vehicles on the lot. Mr. Cramer noted that his hours of operation would be 8 a.m. to 6 p.m., and, realistically, people might return vehicles after hours and no one would be working who could remove the excess vehicles. He noted that during operational hours, he would have no more than 23 vehicles on the lot. He suggested that he has additional parking available at the main office in Middletown, and would move vehicles to that site if needed. He noted that, if a large number of vehicles were returned at one time which would exceed the maximum number during business hours, the extra vehicles would be moved. He noted that his business is normally steady during the week, but people would drop off vehicles over the weekend.

Mr. Seeds questioned if Mr. Cramer would be submitting a land development plan if the Conditional Use is granted. He questioned if Mr. Cramer would be using the existing facilities, or planned to build new facilities. Mr. Cramer answered that he would not be making any improvements to the property, only repairing the asphalt that was damaged in the removal of the gasoline storage tanks. He noted that the canopy and buildings will remain. Mr. Seeds suggested that this would be an improvement to that area since that business has been vacant for a period of time. He suggested that it would be good to make improvements and to add some green space. Mr. Cramer explained that he intends to rent various types of vehicles, and noted that he would not want to invest a lot of money into the site until he knows the business has some viability. Mr. Seeds noted that there have been changes made to the setback requirements for Rt. 22 and it has helped to improve the aesthetics.

Mr. Hawk questioned if Mr. Cramer intended to keep the balance of 18 vehicles and five trucks. Mr. Cramer noted that the truck business is geared more towards the weekends; therefore he would suggest that there might be more trucks on the weekends.

Mr. Hornung noted that the conditional uses granted in the past permitted a certain number of vehicles, and there have been problems with owners going over the maximum number of vehicles permitted to be parked on the premises. He explained that if this would occur, the conditional use could be rescinded. He noted that if the business would grow to exceed the capacity, he would encourage him to move the business to another location.

Mr. Stine noted that it would be appropriate to close the public hearing on Conditional Use 2006-01 and the Board may take action if it so desires.

Mr. Crissman made a motion to approve Conditional Use 2006-01 to operate an automobile rental and leasing establishment at 4612 Jonestown Road. Mr. Stine questioned if any conditions should be placed in the motion in order to be enforced. Mr. Crissman further

requested that a condition of the approval would be that during business hours that 23 parking spots would be available for leased vehicles, four for employees parking, and four for customer parking. Mr. Hornung seconded the motion.

Mr. Hornung questioned if the business changed where all the vehicles were trucks, if that would be counterproductive to the aesthetics for that area. He noted that he is not referring to pick-up trucks, but more big-box rental vehicles. He noted that if this is the intent of the Board members' it should be added as a condition for the Conditional Use motion. Mr. Crissman noted that he made an assumption that it would only be automobiles and pick-up trucks. Mr. Blain noted that it could be conditioned that of the 23 parking spaces, a maximum of ten trucks would be allowed. Mr. Blain noted that he would not want to see 23 U-haul type trucks parked in the lot. Mr. Seeds noted that tractor-trailers would not be parked on the lot, but rather moving-type vehicles. He noted that he would not foresee the business turning into a truck rental place since it is a car rental place. He noted that he is familiar with their operation at the airport, and they have no big trucks at that location. Mr. Crissman noted that the request was for automotive/truck leasing, and he made an assumption that it was for cars only. Mr. Hornung noted that Budget rents trucks too. Mr. Hawk noted that the mix was 18 cars and five trucks. Mr. Hornung noted that 23 large Budget trucks would not be appealing at that location. Mr. Hawk noted that a major portion of the property sits back from the road. Mr. Seeds noted that tire stores border it. Mr. Hawk suggested that it would be difficult to place trucks out by Rt. 22.

Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Ordinance 06-04; Amending the zoning designation of a parcel of land on Earl Drive,
east of Colonial Road, from Research Office
to R-1 Low Density Residential to R-C, Residential Cluster

Mr. Wolfe explained that there was a mistake in the advertising for the rezoning, and the applicants have conferred with staff and Mr. Stine to discuss the problem. Mr. Stine explained that the Ordinance was written that the entire parcel should be rezoned from R-O to R-C which is not what the applicant desired. He noted that if there was a change to the ordinance to make it partially R-O and partially R-C, the change would need to go back to the Township Planning Commission before it could be heard in a public hearing. Mr. Stine noted that this Ordinance could not be heard before July, and that there would be no public hearing heard at this time because the ordinance as written is not what was requested.

Mr. Crissman questioned if the advertisement was incorrect. Mr. Stine noted that he did not know, but the applicant was seeking for a small parcel adjacent to Colonial Road to remain R-O. Mr. Crissman noted that the applicant did not present it to the Board members at the workshop meeting with that intention. Mr. Wolfe noted that the applicant desires to postpone the zoning request until the Ordinance can be re-advertised.

Change Order #1 to upgrade flooring in the construction contract for the FCC east annex

Mr. Wolfe explained that the dedication ceremonies for the new Friendship Community Center (FCC) east annex for the Friendship Senior Center will be held Tuesday, June 13th. He noted that the main room in the annex was planned to have a VCT tile floor, but staff recommends that the floor be upgraded to a rubber floor since it is easier to maintain, and it will maximize the Township's use for the open area for program activities for evening and weekend programs. He noted that a rubber floor would be more accommodating for aerobics and dance activities. He noted that the change order is in the amount of \$8,499.91 and this is net of the delete of the VCT tile.

Mr. Seeds noted that no padding would be included. Mr. Wolfe explained that rubber floors are available in many different styles, and the padding would cost more money. He noted that Mr. Luetchford found that a 4 mm floor should provide the amount of traction and bounce that is needed for the recreational activities. He noted that budget is also an item, and to add padding would double the cost of the change order. Mr. Seeds questioned what the estimated life would be for the flooring, and if the padding was added would it provide for twice the amount of wear. Mr. Luetchford answered that it is not cost affective to add the padding and would not promise additional life.

Mr. Crissman noted that it would provide a softer surface for the seniors to use during the day, as well as providing more space for additional program use for evenings and weekends.

Mr. Crissman made a motion to approve Change Order #1 to upgrade the flooring for the Friendship Community Center east annex in the amount of \$8,499.91. Mr. Blain seconded the motion and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Change Order #5 for construction activities (roadway and parking lot base)
at Thomas B. George Jr. Park

Mr. Wolfe noted that this change order represents additional work for the application of a 2-A stone base for the roadway, and one of the parking lots in Thomas B. George Jr. Park in the amount of \$72,626.00. He explained that this work was not included in Liberty Excavators contract for services, as it was originally thought that the Township would build this at a later time after the completion of Liberty Excavators contract. He noted that with the construction of the playground, and other Township facilities, staff believed it was important to get the sub-base in to do the paving as soon as possible. He noted that the Township's project engineer, Herbert, Rowland, and Grubic, Inc., has reviewed the change order and found it to be acceptable.

Mr. Seeds questioned if the Public Works Department would complete the paving at a later date. Mr. Wolfe answered that the Public Works Department would complete the majority of the work, and a sub-contractor would complete a small amount. He noted that the sub-contractor's work would be less than \$10,000 and the Township would provide the material.

Mr. Seeds questioned when this would occur. Mr. Wolfe answered that it would occur over the next two weeks. Mr. Luetchford noted that the paving work would be completed over the next three days, weather permitting.

Mr. Crissman made a motion to approve Change Order #5 in the amount of \$72,626.00 for the construction activities for roadway and parking lot base at the Thomas B. George Jr. Park. Mr. Blain seconded the motion and a voice vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 06-18; Accepting the Policy on Fraud and Other Similar Irregularities as prepared by the Audit Committee

Mr. Hawk noted that the Sarbanes-Oxley Act of 2002 has had an impact on the Township to ensure the safeguard of public funds.

Mr. Wolfe noted that the Audit Committee, whose members are Mr. Crissman, Mr. Blain and himself have been very busy in the past year working to develop the Fraud Policy and Standard Operating Procedures for the Finance Department.

Mr. Blain noted that the reason the Fraud Policy was created was to provide a resource for employees and citizens to report acts of fraud. He noted that it also would provide for a means to commence an appropriate investigation of any reported acts of fraud. He noted that the policy is consistent with whistleblower policies found in a corporate environment, in that it would provide for an independent and confidential investigation by the Audit Committee and the Board of Supervisors.

Mr. Blain made a motion to adopt Resolution 06-18; accepting the Policy on Fraud and Other Similar Irregularities as prepared by the Audit Committee. Mr. Crissman seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 06-19; Accepting the Standard Operating Procedures for the Finance Department as prepared by the Audit Committee

Mr. Blain explained that when the Audit Committee was first formed in the spring of 2005, the first undertaking was to evaluate the fiscal operating functions of the Township. He noted that it was found that there were no written policies and procedures for performing this work. He noted that the Committee and staff created standard operating procedures for individual functions within the Finance Department. In addition to the standard operating procedures, there is a book that includes step-by-step instructions, and attachments of sample work. He noted that this was done to access the internal controls within the financial functions to ensure that the appropriate controls are in place at this point in time. He noted that the second step for the Committee would be to access the internal controls through a detailed testing of the procedures. Mr. Blain noted that the Board members are asked to approve the policies for the financial operations for the Township.

Mr. Blain made a motion to adopt Resolution 06-19; accepting the Standard Operating Procedures for the Finance Department as prepared by the Audit Committee. Mr. Crissman seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, ay; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on bids for lining of service laterals in the SC-1F sanitary sewer mini-basin

Mr. Wolfe explained that the Township received one bid for this work in the amount of \$359,903.00. He noted that the bid was submitted by LLMK Enterprises Incorporated. He noted that this provides for the lining of 79 laterals in both Spring Creek 1F and 1I mini-basins. He

noted that the bid is almost equal to the engineer's estimate for project work and has been reviewed by staff and determined to be complete. He noted that it is staff's recommendation that the Board award the lining of 79 laterals to LLMK Enterprises.

Mr. Crissman questioned if this was the type of work that would receive a limited number of bids. Mr. Wolfe noted that there are very few contractors that perform this work, and it is difficult to find contractors to bid for this type of work.

Mr. Crissman made a motion to approve the bid for the lining of service laterals in the SC-IF sanitary sewer mini-basin to LLMK Enterprises Inc, in the amount of \$359,903.00. Mr. Hawk seconded the motion and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Agreement between the Township and Pinnacle Health Hospitals in regard to signalization of certain intersections serving Community General Osteopathic Hospital

Mr. Stine explained that Mr. Dean Weidner who represents the Community General Osteopathic Hospital (CGOH) prepared a Traffic Signal Participation Agreement. He noted that this reflects a discussion held in May between the Township and CGOH concerning traffic improvements. He noted that the traffic improvements along Londonderry Road consist of line re-striping and, in the future, to pay for their pro rata share of the Future Traffic Study and Signalization Costs for the Intersections. Mr. Stine explained that he has reviewed the agreement in conjunction with Mr. Wolfe and it is their recommendation that the Board members should approve the Traffic Signal Participation Agreement.

Mr. Crissman made a motion to accept the Agreement between Lower Paxton Township and Pinnacle Health Hospital with regards to the signalization of certain intersections serving the Community General Osteopathic Hospital. Mr. Blain seconded the motion and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye

Easement agreement between the Township and Commerce Bank to provide for a traffic signal at Linglestown and Patton Roads

Mr. Hawk thanked those present from Commerce Bank for agreeing to install the traffic signal.

Mr. Stine explained that the easement agreement is for some additional easement area that is needed to install a mast arm at the corner of Linglestown and Patton Roads. He noted that this is in addition to any other easements that were provided earlier for that purpose. He noted that the agreement is complete and ready for action.

Mr. Crissman made a motion to accept the easement agreement between Lower Paxton Township and Commerce Bank to provide for a traffic signal at Linglestown and Patton Roads. Mr. Blain seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Preliminary/final land development plan for Community General Osteopathic Hospital, 2006 Hospital Expansion and Modifications

Ms. Wissler explained that the purpose of the plan is for the construction of approximately 8,320 square foot of new additions to the existing main hospital for expansion of the surgery area and the doctor's dining room as well as internal renovating and associated site work. She explained that the property is located north of Londonderry Road and east of South Arlington Avenue and is zoned R-O, Research Office District. This tract of land possesses 28.37 acres and is served by public water and sewer.

Ms. Wissler explained that on January 25, 2006, the Planning Commission recommended the approval of the plan and waiver requests. She noted that CGOH attended a workshop meeting on May 9, 2006 to discuss the results of the traffic study and noted that they would be willing to enter an agreement with the Township that states the CGOH would pay its fair share in terms of the costs of a traffic study and signalization for the site. She noted that this agreement was

approved as an earlier agenda item. She noted that the applicant requested the following waivers site-specific conditions, general conditions, and staff comments: 1) Waiver of the requirement to provide a preliminary plan submission; 2) Please provide the recent counts for the Londonderry Road and Arlington Avenue and Londonderry Road and Avila Road intersections; 3) A written agreement shall be entered into between CGOH and the Township that states that CGOH will pay their fair share in terms of the costs of a traffic study and signalizations for the site; 4) Plan approval shall be subject to addressing HRG's comments dated February 28, 2006; 5) Plan approval shall be subject to providing original seals and signatures on the plan; 6) Plan approval shall be subject to the Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 7) Plan approval shall be subject to DEP's approval of a Sewage Facilities Planning Module; 8) Plan approval shall be subject to the payment of engineering review fees; 9) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 10) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 11) A street/storm sewer construction permit is required for construction of storm water facilities; and 12) All signage, including construction signs, must meet the requirements of Lower Paxton Township's Sign Ordinance.

Ms. Wissler noted that Chris Black is present to represent the plan.

Mr. Chris Black noted that CGOH is proposing, at the width of 30 feet to the front of the building, a new expansion for the operating facilities. He noted that there would be no additional beds. In addition, a small doctor's dining room will be added. He noted that the new facility will replace 25 parking spaces which will be relocated to the north side of the site. He noted that 35 parking spaces will be required as a result of the addition, and they will be located along the east side of the site.

Mr. Black noted that the extensive renovations are mostly internal, and will cost \$14 million.

Mr. Crissman questioned Mr. Black if he was in agreement with the one waiver, three site-specific comments, six general comments, and two staff comments. Mr. Black answered that he was in agreement with the comments, and have addressed the issues.

Mr. Hawk noted that he would be interested to see how the three lanes are configured on Londonderry Road. Mr. Black noted that there are two options, the first would be three lanes before the I-83 Bridge near Lakewood Drive, and the second option would be three lanes starting at Hassler Road/Sir Thomas Court.

Mr. Seeds questioned when the striping would be completed. Mr. Black noted that he would need to meet with staff and the Public Safety Committee first to choose the best option. Mr. Hawk suggested that this should be completed prior to the start of the new school year.

Mr. Crissman made a motion to approve the preliminary/final land development plan 2005-53 for Community General Osteopathic Hospital, 2006 Hospital Expansion and Modifications with the following waivers, site-specific conditions, general conditions, and staff comments: 1) Waiver of the requirement to provide a preliminary plan submission; 2) Please provide the recent counts for the Londonderry Road and Arlington Avenue and Londonderry Road and Avila Road intersections; 3) A written agreement shall be entered into between CGOH and the Township that states that CGOH will pay their fair share in terms of the costs of a traffic study and signalizations for the site; 4) Plan approval shall be subject to addressing HRG's comments dated February 28, 2006; 5) Plan approval shall be subject to providing original seals and signatures on the plan; 6) Plan approval shall be subject to the Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 7) Plan approval shall be subject to DEP's approval of a Sewage Facilities Planning Module; 8) Plan approval shall be

subject to the payment of engineering review fees; 9) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 10) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 11) A street/storm sewer construction permit is required for construction of storm water facilities; and 12) All signage, including construction signs, must meet the requirements of Lower Paxton Township's Sign Ordinance

Mr. Blain seconded the motion, and a voice vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Preliminary/final subdivision plan for Elizabeth Dunlap

Ms. Moran explained that the Township received a plan to subdivide a 4,781 square foot portion of 4401 Lexington Street and add it to the property at 4405 Lexington Street. Lot 1, 4401 Lexington Street will contain 20,235.75 square feet. The properties are zoned R-1, Low Density Residential District and are located southeast of Shoops Cemetery and north of Plymouth Street. She noted that public sewer and water serve the property.

Ms. Moran noted that the Lower Paxton Township Planning Commission approved the plan and requested waivers on May 10, 2006. She explained that the applicant has requested the following waivers and comments: 1) Waiver of the requirement to provide a preliminary plan submission; 2) Waiver of the requirement to provide U.S. Coast and Geodetic Survey datum; 3) Waiver of the requirement to provide sidewalk along Maple Road, Lexington Street and Oak Park Road; 4) Waiver of the requirement to provide curbing along Maple Road, Lexington Street and Oak Park Road; 5) Waiver of the requirement to provide road widening along Maple Road, Lexington Street and Oak Park Road; 6) Waiver of the requirement to provide an Erosion and Sedimentation Control Plan; 7) Waiver of the requirement to provide a storm water

management plan; 8) Waiver of the requirement to provide contour elevations; 9) Under “Plan Record” change “Plan Book, Volume, Page” to “Instrument Number”; 10) Plan approval shall be subject to providing original seals and signatures; and, 11) Plan approval shall be subject to the payment of engineering review fees.

Mr. Crissman questioned Mr. Shaffer if he was in agreement with the eight wavier requests, one site-specific condition, and two general conditions. Mr. Shaffer answered that he was in agreement with the waivers and comments.

Mr. Crissman made a motion to approve the preliminary/final subdivision plan 2006-14 for Elizabeth Dunlap with the following waivers and comments: 1)Waiver of the requirement to provide a preliminary plan submission; 2) Wavier of the requirement to provide U.S. Coast and Geodetic Survey datum; 3) Waiver of the requirement to provide sidewalk along Maple Road, Lexington Street and Oak Park Road; 4) Waiver of the re requirement to provide curbing along Maple Road, Lexington Street and Oak Park Road; 5) Waiver of the re requirement to provide road widening along Maple Road, Lexington Street and Oak Park Road; 6) Waiver of the requirement to provide an Erosion and Sedimentation Control Plan; 7) Waiver of the requirement to provide a storm water management plan; 8) Waiver of the requirement to provide contour elevations; 9) Under “Plan Record” change “Plan Book, Volume, Page” to “Instrument Number”; 10) Plan approval shall be subject to providing original seals and signatures: and, 11) Plan approval shall be subject to the payment of engineering review fees.

Mr. Blain seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there are eleven Improvement Guarantees.

Mindy Meadow, Phase I

Mr. Seeds noted that he had a concern with Mindy Meadow, Phase I. He noted that the current amount in force is \$19,195.00, noting a 10% increase, but the amount was not increased. Ms. Wissler explained that the last reduction was completed in October 2005, and the year is not up. She suggested that it could not be increased until October 2006. She noted the request is only for an extension for time, and the increase by checked in error.

Kings Crossing, Phase C

Mr. Seeds noted that Kings Crossing letter of credit was reduced to \$63,800 on December 6, 2005 for a six month period. He noted that the expiration date was up, but the report from Mr. Robbins dated November 22, 2005, noted that the silt fence needed immediate repairs and that the Dauphin County Conservation Office had been notified. He questioned if this has been resolved. Ms. Wissler suggested that Phase B, and not Phase C, was reduced for six months. She stated that she did not know if the items had been addressed. Mr. Crissman suggested that this improvement guarantee should be pulled until it has been determined that the improvements have been made.

Calvary United Methodist Church

A reduction and extension in a letter of Credit with Community Banks in the amount of \$7,788.00 with an expiration date of June 16, 2007.

Amber Fields, Phase IV

A reduction and extension in a letter of credit with Sovereign Bank in the amount of \$128,095.00 with an expiration date of June 6, 2007.

Estates of Forest Hills, Phase V

A reduction in a letter of credit with Community Banks in the amount of \$41,390.71 with an expiration date of May 12, 2007.

Patton Place

A change in a letter of credit with Integrity Bank in the amount of \$75,322.50 with an expiration date of May 15, 2007.

Estates of Forest Hills, Phase IV-B

A reduction in a letter of credit with Community Banks in the amount of \$2,750.00 with an expiration date of November 7, 2007.

Estates of Forest Hills, Phase IV-A

A reduction in a letter of credit with Community Banks in the amount of \$1,100.00 with an expiration date of November 12, 2007.

Old Iron Estates, Phase III

An extension and increase in a letter of credit with Fulton Bank in the amount of \$ 83,671.50 with an expiration date of June 7, 2007.

Tuscan Villas at the Estates of Forest Hills

A reduction in a letter of credit with Pennsylvania State Bank in the amount of \$240,281.80 with an expiration date of October 31, 2006.

Members 1st Federal Credit Union

Establish a new letter of credit with Mid-Atlantic Corporate Federal Credit Union in the amount of \$188,500.00 with an expiration date of May 14, 2007.

Mr. Crissman moved to approve all the listed Improvement Guarantee requests except King Crossing, Phase C. Mr. Blain seconded the motion, and a unanimous voice followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and a unanimous vote followed. The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Maureen Heberle

Approved by:

Gary A. Crissman
Authority Secretary